

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 21st day of June, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway Council Member  
Ross McElwee Council Member  
Phillip Hyatt Council Member

ABSENT: Vickie Abrego, Mayor Pro Tempore

ADMINISTRATIVE  
PERSONNEL PRESENT: Reggie Winters, City Manager  
Allen Lawrence, City Attorney  
Yvonne Stonebraker City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT:

OTHERS PRESENT: Mark McLiney and Ryan Cunningham/Southwest Securities, Patsy Lawrence, Sandy Kubek, Ernie Torres, Olivia Torres, Marilyn Rimer/Herald, Ellie Block, Ed Block, David Underbrink and Dave Sullivan/Naismith Engineering, Carsten Meyer, Jeanne Hunter, Randy Hunter, Michael Cary/Progress, Rosemary Vega/Chamber of Commerce and Jim Rummage.

*There may have been others present who did not sign in.*

**1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on June 21, 2010.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member McElwee gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

**3. CONSIDER AND ACT ON APPROVING THE MINUTES OF JUNE 7, 2010.**

The June 7, 2010 minutes were not ready for approval. No action taken.

4. **CONSIDER AND ACT ON APPOINTMENT OF MR. CARSTEN MEYER AS ASSISTANT MUNICIPAL COURT JUDGE.**

Council Member Attaway made a motion to approve the appointment of Mr. Carsten Meyer as Assistant Municipal Court Judge. Council Member Hyatt seconded the motion and the motion carried unanimously.

5. **CONSIDER AND ACT ON APPROVAL OF RESOLUTION 2010-636- A RESOLUTION APPROVING AN AGREEMENT FOR INSTALLATION OF HIGHWAY SAFETY LIGHTS.**

Council Member Attaway made a motion to approve Resolution 2010-636- a Resolution approving an agreement for installation of highway safety lights. Council Member Hyatt seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON ORDINANCE 2010-3976- AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF ARANSAS PASS, TEXAS TAX NOTES, SERIES 2010", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE OBLIGATIONS; PRESCRIBING THE FORM, TERMS, CONDITIONS AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF THE OBLIGATIONS INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING AN EFFECTIVE DATE.**

Mark McLiney with Southwest Securities stated the 2010 Tax Note would fund the environmental remediation on Conn Brown Harbor and the Boating Access Grant's local share. He stated the local interest rate would have been approximately 4%. Mr. McLiney stated, after affirming the City's A+ status with Standard and Poors, the City's average interest rate would be 2.45%. He stated the City's bond payments would only increase by approximately 31,000.00.

Council Member Attaway made a motion to approve Ordinance 2010-3976- an Ordinance by the City Council of the City of Aransas Pass, Texas authorizing the issuance of "City of Aransas Pass, Texas Tax Notes, Series 2010", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions and resolving other matters incident and related to the issuance, sale and delivery of the obligations including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements of the letter of representations previously executed with the depository trust company; and providing an effective date. Council Member Hyatt seconded the motion and the motion carried unanimously.

7. **PUBLIC HEARING ON THE REQUEST OF JUAN GALVAN FOR A CONDITIONAL USE PERMIT TO OPERATE A BAR. THE PROPERTY IS DESCRIBED AS LOTS 13, 14, 15 AND 16, BLOCK 548, 0.574 ACRES, 157 S. COMMERCIAL STREET. ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.**

City Attorney Allen Lawrence opened the Public Hearing at 7:14 p.m. on the request of Juan Galvan for a Conditional Use Permit to operate a bar. The property is described as Lots 13-16, Block 548, 0.574 acres, 157 S. Commercial Street, Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business District. He stated all proper notices had been given. He stated the Planning and Zoning Commission had met previously on the matter and recommended approval on the request. Mr. Lawrence asked Mr. Galvan to speak on this request.

Mr. Galvan stated the owner of the club was no longer managing the place due to personal problems and he would like to get his own Conditional Use Permit. He stated there had been no bad incidents since the club opened several months ago.

The City Attorney asked was there any questions from the Council? He asked was anyone present to speak in opposition of the request? Seeing none he closed the Public Hearing at 7:15 p.m.

8. **CONSIDER AND ACT ON THE REQUEST OF JUAN GALVAN FOR A CONDITIONAL USE PERMIT TO OPERATE A BAR. THE PROPERTY IS DESCRIBED AS LOTS 13, 14, 15 AND 16, BLOCK 548, 0.574 ACRES, 157 S. COMMERCIAL STREET, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.**

Council Member Attaway made a motion to approve the request of Juan Galvan for a Conditional Use Permit to operate a bar with conditions set forth by the Planning and Zoning Commission. The property is described as Lots 13-16, Block 548, 0.574 acres, 157 S. Commercial Street. Council Member McElwee seconded the motion and the motion carried unanimously.

9. **PRESENTATION BY ASSISTANT POLICE CHIEF BILL HAINES ON THE CITY OF ARANSAS PASS' EMERGENCY MANAGEMENT PLAN.**

City Manager Winters stated Assistant Police Chief Bill Haines could not make it to the meeting. Mr. Winters spoke briefly on the progress of the City's Emergency Management Plan.

10. **CONSIDER AND ACT ON APPROVAL TO HIRE A CONSULTANT TO COLLECT INFORMATION CONCERNING THE CITY OF ARANSAS PASS' INDUSTRIAL DISTRICTS.**

City Manager Winters stated he and the City Inspector had tried to update the City's Industrial District on and off since October with no success of completion. He stated Mr. Lionel "Mack" Brewer, owner of Harbor Landing and Sea Horse RV Parks in Aransas Pass, had contacted him several times about collecting information needed to bring the Industrial Districts up to date. He stated Mr. Brewer taught Business Management at Austin Community College and is on summer break. City Manager Winters stated Mr. Brewer would make a list of all existing businesses in the Industrial District, their legal descriptions and the numbers from their last two years on the San Patricio County tax roll. He stated Mr. Brewer would charge a fee not to exceed \$5,000.00 and the City would not be obligated to pay until fiscal year 2010-2011.

Council Member Attaway made a motion to approve the hiring of Lionel "Mack" Brewer as a consultant to collect information concerning the City of Aransas Pass' Industrial Districts for a fee

not to exceed \$5,000.00 payable after October 1, 2010. Council Member Hyatt seconded the motion and the motion carried unanimously.

**11. CONSIDER AND ACT ON APPOINTING A MEMBER TO THE ARANSAS PASS LIBRARY BOARD.**

Council Member Attaway made a motion to appoint Anita Kirkland to the Aransas Pass Library Board. Council Member McElwee seconded the motion and the motion carried unanimously.

**12. CONSIDER AND ACT ON RE-SCHEDULING THE MONDAY, JULY 5, 2010 COUNCIL MEETING TO TUESDAY, JULY 6, 2010 DUE TO A CITY HOLIDAY.**

Council Member Hyatt made a motion to approve re-scheduling the Monday, July 5, 2010 meeting to Tuesday, July 6, 2010 due to a City holiday. Council Member McElwee seconded the motion and the motion carried unanimously.

**13. REVIEW AND DISCUSS BUDGET REPORTS.**

City Manager Winters stated sales tax was down 6% which was a difference of approximately \$200,000.00. He stated he and the finance director had started identifying budget cuts, should the sales tax not increase over the summer.

**14. CITIZENS COMMENTS.**

Mr. Sandy Kubek commented on the success of the Bass Pro Shop Boat Owners Tournament which took place Saturday, June 19, 2010 on Conn Brown Harbor and the Conn Brown Harbor Development workshop held on Thursday, June 17, 2010.

Mr. Jim Covington stated, due to the oil spill, shrimp boats were entering Texas waters. He stated some of those boats would eventually end up in Conn Brown Harbor and there were not enough bulkheads for these boats to tie up to. He stated that his main concern was, should a hurricane develop and move into the gulf, what are these boats going to do.

Rosemary Vega with the Chamber of Commerce wanted to thank the Aransas Pass Police Department, Fire Department and Public Works Department for helping make the Shrimpooree another successful year.

**15. ADJOURNMENT OF MEETING.**

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:35 P.M.

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Tommy Knight, Mayor

ATTEST:

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Yvonne Stonebraker, City Secretary